IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 23378 of 2004

Between:

M. Rajashree D/o M.V. Madhava Rao,

Aged about 42 years, Occ: Lecturer in VV College,
R/o Plot No. 16, Madhava Nagar, Saidabad Hyderabad

..... PETITIONER

AND

1 The Government of A.P., rep by Secretary for Higher Education

Secretariat Hyderabad
2 The Commissioner and Director of Collegiate Education A.P.,

Hyderabad
3 Vivek Vardhani Arts, Commerce and Science College Viman Naik Marg

Hyderabad rep by Honorary Secretary and Correspondent

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or direction more particularly in the nature of Writ of mandamus declaring the action of the respondents in not considering the proposal sent by the 2nd respondent recommending my case for absorption against grant in aid vacancy of lecturer in Zoology in 3rd respondent college though I am fully eligible and qualified and working from past more that 14 years continuously against the grant in aid vacancy as illegal arbitrary highhanded and un constitutional and consequently direct the respondents to consider the case of the petitioner as lecturer in Zoology for absorption against grant in aid vacancy in 3rd respondent college in the interest of justice.

Counsel for the Petitioner: MS.M.SEETHA DEVI

Counsel for the Respondent Nos.1 and 2: GP FOR EDUCATION

Counsel for the Respondent No.3:

The Court at the admission stage made the following:

ORDER:

In not considering the proposals sent by the Vivek Vardhani Arts, Commerce and Science College, Hyderabad, who is the 3rd respondent herein, for absorption against the grant-in-aid vacancy of lecturer in zoology, the present writ petition is filed.

The case of the petitioner is that in pursuance of the notification issued by the 3rd respondent in the year 1990, she was appointed as a lecturer in the department of zoology on adhoc basis. Thereafter, the 3rd respondent sent proposals to the Osmania University for approval of her appointment, and accordingly, the University has approved her appointment. Thereafter, the 3rd respondent sent proposals to the
2nd respondent to admit the post of lecturer in zoology in grant-in-aid vacancy. The same has not yet been considered by the 2nd respondent.

The learned counsel for the petitioner contended that though the 3rd respondent sent proposals on 03.03.2003, 17.05.2004 and 05.06.2004, the 2nd respondent has not taken any appropriate decision in accordance with law.

On the other hand, the learned Government Pleader appearing for the respondents 1 and 2 contended that the
2nd respondent has to take a decision on the proposals sent by the 3rd respondent in accordance with law.

Therefore, without going into the merits of the case and factual aspects, the Writ Petition is disposed of, with a direction to the 2nd respondent to consider the recommendations made by the 3rd respondent to admit the post of lecturer in zoology in grant-in-aid

vacancy in accordance with law, within a period of three months from the date of receipt of a copy of this order. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Secretary for Higher Education,

The Government of A.P.,

Secretariat, Hyderabad

2. The Commissioner and Director of Collegiate Education,

A.P.Hyderabad

3. The Honorary Secretary and Correspondent,

Vivek Vardhani Arts, Commerce and Science College

Viman Naik Marg Hyderabad

4. Two CCs to the Government Pleader for Education,

High Court Buildings, Hyderabad (OUT)

5. Two CD copies.